

REMARKS

The Official Action mailed January 14, 2011, has been received and its contents carefully noted. This response is filed within three months of the mailing date of the Official Action and therefore is believed to be timely without extension of time. Accordingly, the Applicant respectfully submits that this response is being timely filed.

The Applicant notes with appreciation the consideration of the Information Disclosure Statements filed on July 6, 2006 and August 23, 2010.

Paragraph 7 of the Official Action asserts that the Information Disclosure Statement filed on December 21, 2010 fails to comply with 37 C.F.R. § 1.98(a)(2). Paragraph 8 of the Official Action further asserts that there is no copy for cited foreign patent document. However, a full English translation of the cited foreign patent document appears in the Image File Wrapper (IFW) with a Mail Room Date of "12-21-2010" and a Document Description of "Foreign Reference." As a courtesy, the Applicant resubmits herewith a copy of the full English translation of JP 10-265773 for the Examiner's consideration.

Claims 29-31, 33, 50-52 and 55-60 were pending in the present application prior to the above amendment. Claim 56 has been canceled without prejudice or disclaimer, claims 29, 30, and 55 have been amended to better recite the features of the present invention, and new claims 61 and 62 have been added to recite additional protection to which the Applicant is entitled. Accordingly, claims 29-31, 33, 50-52, 55 and 57-62 are now pending in the present application, of which claims 29 and 55 are independent. For the reasons set forth in detail below, all claims are believed to be in condition for allowance. Favorable reconsideration is requested.

Paragraph 11 of the Official Action rejects claims 29-31, 33, 50-52 and 55-60 as obvious based on the combination of U.S. Publication No. 2004/0222737 to Raychaudhuri, Liu (Synthetic Metals 2004, 146, 85-89), U.S. Patent No. 6,660,410 to Hosokawa, and Thomas (Journal of the American Chemical Society, 2001, Volume 123, Pages 9404-9411). The Applicant respectfully submits that a *prima facie* case of

obviousness cannot be maintained against the independent claims of the present application, as amended.

As stated in MPEP §§ 2142-2144.04, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some reason, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some reason to do so found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art. "The test for an implicit showing is what the combined teachings, knowledge of one of ordinary skill in the art, and the nature of the problem to be solved as a whole would have suggested to those of ordinary skill in the art." *In re Kotzab*, 217 F.3d 1365, 1370, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000). See also *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988); *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

The prior art, either alone or in combination, does not teach or suggest all the features of the independent claims, as amended. Specifically, independent claim 29 has been amended to recite "a hole transporting layer over the hole injecting layer; a light-emitting layer over and in contact with the hole transporting layer, the light-emitting layer comprising a light-emitting material and a guest material; and a cathode over the light-emitting layer, wherein the guest material is a carbazole derivative represented by a general formula (1)." Similarly, independent claim 55 has been amended to recite "a light-emitting layer over the hole transporting layer, the light-emitting layer including a light-emitting material and a guest material; and a cathode over the light-emitting layer, wherein the guest material is a carbazole derivative represented by a general formula (1)." These amendments are supported, for example, by paragraph [0140] of the pre-

grant publication of the present application. Raychaudhuri, Liu, Hosokawa, and Thomas, either alone or in combination, do not teach or suggest the above-referenced features of the present invention.

Since the prior art do not teach or suggest all the claim limitations, a *prima facie* case of obviousness cannot be maintained. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) are in order and respectfully requested.

New claims 61 and 62 have been added to recite additional protection to which the Applicant is entitled. The features of these new claims are supported, for example, by paragraph [0035] of the pre-grant publication of the present application. For the reasons stated above and already of record, the Applicant respectfully submits that new claims 61 and 62 are in condition for allowance.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

The Commissioner is hereby authorized to charge fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(a), 1.20(b), 1.20(c), and 1.20(d) (except the Issue Fee) which may be required now or hereafter, or credit any overpayment to Deposit Account No. 50-2280.

Respectfully submitted,



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